

AT A SESSION OF SEWARS HOLDEN AT THE CITTIE OF ELY,

the xxij. and xxiiij. dayes of September, *Ann. Dom.* 1619. before the Reuerend Father in God NICHOLAS, Lord Bishop of Ely, Sr. MILES SANDYS, Knight and Barronet, Sr. EDWARD RADCLIFFE, Sr. JOHN CVTS, Sr. SIMON STEVARD, Sr. RICHARD COXE, Sr. WILLIAM WENDIE, Knights: JOHN GOSTLIN Doctor of Physicke, Vicechancellor of the Vniuersitie of Cambridge, JOHN CROPLEY, and HENRIE SMITH, Doctors of Diuinitie, IONN POPE Doctor of Lawe, Henrie Bing Esquier, Mr. Jerome Beale, Batchelor in Diuinitie, Daniel Wigmore Archdeacon of Ely, Robert Steward, Isaac Barrowe, Daniell Goodricke, Peter Frankland, Esquiers; Robert Clench, Iohn Pepis, Iohn Orwell, Simon Walsen, and Henry Upcher, Gentlemen, Commissioners of Sewars amongst others assigned: It is ordered as followeth; viz.

WHEREAS The Kings most excellent Maiestie, by his gracious Letters, dated at *Windsore* the iij. day of this instant moneth of September, directed vnto the Commissioners of Sewars in the Countie of Cambridge, Isle of Ely, *Suffolke, Norfolk, Lincoln, Northampton, Huntingdon, &c.* therein signifying, that Sr. WILLIAM AYLOFFE, Knight and Barronet, Sr. ANTHONIE THOMAS Knight, with other their friends, at their owne charge haue vndertaken the great and worthy worke, to draine the grounds furrounded with fresh or salt waters, in the severall Countiees of Cambridge, the Isle of Ely, *Norfolk, Suffolke, Lincoln, Northampton, Huntingdon, &c.* whereby his Maiestie conceiueth, that a great and inestimable profit will arise to the Kingdome, and that the said worke will disburthen the said Countiees, and the Inhabitants thereof, from the taxes and charges now continually imposed vpon them, and will reconcile, and vterly take away all differences, and discontents heretofore arising about the leuying of such taxes: Also signifying, that the said Vndertakers haue already concluded in point with his Maiestie, concerning the recompence for the draining his Maiesties lands, and the lands of the Prince his Highnes; And hath by his Maiesties said Letters, recommended the said Vndertakers, and their designs to the especiall care of all the Lords, and other Commissioners of Sewars, for all and euery the said Countiees, requiring them to be aiding and assisting to them in the Contracts to be made with the Subiects according to Lawe; And that all persons should be respecting, and conformable to that his Maiesties Royall pleasure.

AND therewithall, the right Honourable Lords, and others of his Maiesties most Honourable Prīate Counsell, for further direction and instruction, haue also directed their Honourable Letters, bearing date at *Windsore* aforesaid, the v. day of the said moneth of September, Wherein their Lordships for the better clearing of the said business, haue mentioned one chiefe purpose of the said Vndertakers, That they intend to beginne their workes at the Sea, and to open the out-falls of *Nene* and *Welland*, and make them nauigable to the Townes of *Spalding* and *Wisbech*, which (their Lordships conceived) will take away all feare of turning the waters vpon any the neighbour-Countiees, and drawe the same into their true and naturall channells, without any further trouble or inconuenience.

For the readier, and more speedie execution whereof, their Lordships by their said Letters did likewise require the said Commissioners of Sewars, to observe well his Maiesties said gracious, and Princely direction.

WHEREFORE We the saiesaid Commissioners, at this present Session of Sewars, assembled in all humble obedience to his most excellent Maiestie, and dutifull obseruation of his Maiesties said Royall pleasure; And beeing very forward and willing, to giue all due respect to the right Honourable their Lordships instructions and commands; And also because the said Vndertakers this day repairing vnto vs haue declared,

That their intent is so to draine the said Fennes and grounds, as that by their said works, and drainings, none in generall, nor any person in particular, shall receive any hurt or prejudice.

And that they will from time to time, maintaine and secure the same so drained.

And that they will not receiue any recompence, but where through their industrie an increase of benefit shall be raised to the owners, or occupiers thereof, and that after their workes shall be perfected.

And if any question arise whether any benefit be receiued in any particular by their said industry, it shall be decided by a sufficient and able Iurie, (to be named by the Commissioners of Sewars of the Countie of Cambridge now beeing) and inhabiting within the said Countie, or the greater part of them, for the Countie of Cambridge; and such Iurors so nominated, and no others, shall be returned by the Sheriffe of the said Shire.

And if any like question arise for the Isle of Ely, it shall be decided by a sufficient and able Iurie, to be named by the nowe Lord Bishop of Ely, and such Iurors so named, and no others, shall be returned by the Baliffe of the Liberties of the said Lord Bishop, vpon euidence giuen on either side.

And also that they will giue such recompence and satisfaction to those parties that shall receiue hurt or damage, by any of their said workes, as the saiesaid now Commissioners, or the greater part of them, for lands lying in the Countie of Cambridge; and the said L. Bishop now beeing, (for the lands lying in the Isle of Ely) shall thinke fit.

And that at their owne charge, they will make prouision, that water shall be conueied, and stay at those Townes (where water hath heretofore come, and stayed) for Nauigation and Transportation, and the Townships afterwards to maintaine it.

And that they will better, and in no wise hurt, or impayre, the Nauigation in the Riuer of *Granta* and *Ouse*.

WEE (beeing desirous so excellent a worke should haue all possible furtherance, as well in regard of the exceeding benefit which is intended, as for the incouragement of those persons that adventure great summes of money to performe the same) doe order, decree, enact, and establish, as followeth: viz.

THAT the said Vndertakers shall haue free consent and approbation of this Court, to proceede with their enterprise so soone as they shall thinke meete, We beeing determined to giue them all aide and assistance, which lawfully we may by authoritie of our said Commission: And that We shall also from time to time, assist and further them in the said Contracts, with the Lords, owners, commoners, and parties interessed in the said fennes and grounds, in all lawfull manner, according to his Maiesties said pleasure, and their Lordships said directions, and according to such agreements and Contracts, as by the said Vndertakers with the Lords, owners, commoners, and parties interessed in the said fennes and grounds, shall bee made and set downe.

IT IS ALSO agreed, and so ordered at this Court, that the Tenor of this Order be published in all and euery Towne, Parrish, Village, Mannor, or Lordship, within the Countie of Cambridge, and Isle of Ely, by the Lords of the Mannors in their Courts, Leetes, or Courts Barons next to be called, and by the Ministers of the Parishes in the Churches on this side, and before the fift of October next; to the ende that all owners, commoners, and other persons interessed in any drowned grounds, within the Countie and Isle aforesaid, hauing notice thereof, may apply themselves with speed to repaire vnto the Vndertakers, or their Assignes, abiding at the signe of the Bell at Ely, and at the signe of the Falcon in Cambridge, for making and concluding their Contracts according to the true intent, and purport of this Order: That in default of such Contracts, this Court may (at the next Session of Sewars, which is to bee holden at Cambridge Castle, at eight of the clocke in the forenoone, the thirteenth day of October next) take further order for the expedition of the preceeding of the Vndertakers in their workes, according to his Maiesties pleasure.

MEMORANDUM, That it is not the intent and purpose of the Vndertakers, to alter or change the state of any Commons, but onely to haue such competent part thereof, to be set out in feueraltie to them, and their heires, as shall content them for their worthy worke of drayning the same, and the residue of euery Common to remaine in the same Condition, (to all intents and purposes) as now it doth.